

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Joseph M. Sholder, SBN 126347 Griffith & Thornburgh, LLP 8 E. Figueroa Street, Suite 300 Santa Barbara, CA 93101 Phone: (805) 965-5131 Fax: (805) 965-6751 Email: sholder@g-tlaw.com <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Ch. 7 Trustee Sandra K. McBeth	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - NORTHERN DIVISION	
In re: FIROOZ PAYAN Debtor(s).	CASE NO.: 9:18-bk-10237-DS CHAPTER: 7 NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: November 5, 2019	Time: 11:00 a.m. .
Location: 1415 State Street, Santa Barbara, CA	

Type of Sale: ☒ Public ☐ Private **Last date to file objections:** Oct. 22, 2019

Description of property to be sold: The estate's interest in Homesite Holdings, LLC, a New Mexico LLC

Terms and conditions of sale: Trustee seeks court approval to sell the estate's right, title and interest, if any, in Homesite Holdings, LLC, to Ivy Street Holdings, LLC, for \$22,500.00, all cash, as is and where is without warranties or representations of any kind.

Proposed sale price: \$22,500

Overbid procedure (if any): See attached.

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

United States Bankruptcy Court

1415 State Street, Santa Barbara, CA 93101

November 5, 2019

11:00 a.m.

Courtroom 201

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Sandra K. McBeth, Ch. 7 Trustee

7343 El Camino Real #185

Atascadero, CA 93422

Telephone: (805) 464-2959; Fax: (805) 357-5905

Street Address:

7305 Morro Road, Suite 206

Atascadero, CA 93422

email: smcbeth@mcbethlegal.com

Date: October 8, 2018

OVERBID PROCEDURES

The proposed sale of the LLC interest is subject to higher and better offers being received and accepted by the Trustee prior to the scheduled hearing on this motion. Any party wishing to overbid shall deposit a cashier's check for \$22,500, made payable to "Sandra K. McBeth, chapter 7 trustee" with the Trustee, no later than 5:00 p.m. PST on the day prior to the hearing. Moreover, any party wishing to overbid also shall provide the Trustee with sufficient evidence to establish that it will be able to close if it is the successful bidder and its bid is approved by the Court. The initial minimum overbid will be \$23,500. Subsequent overbids will be in minimum increments of \$500. All other terms of the sale shall be upon the same terms and conditions as the proposed sale as described in this motion.

If one or more qualified overbids are received by 5:00 p.m. PST on the date immediately prior to the scheduled hearing, an auction of the LLC interest shall be held in Courtroom 201 of the United States Courthouse, 1415 State Street, Santa Barbara, California on the date and time scheduled for the hearing on approval of this motion. At the conclusion of the auction, the Trustee will ask the court to confirm the results of the auction and to approve the sale of the Property to the highest bidder.

The successful bidder at the auction shall pay to the Trustee the difference between the \$22,500 deposit and the purchase price of the LLC interest approved by the court within three business days following the hearing on this motion and the approval of this motion by the court (the "Closing Deadline"). The \$22,500 deposit shall be forfeited by the successful bidder if escrow has not opened as set forth above or the sale does not close within the Closing Deadline through no fault of the Trustee. Moreover, in the event of forfeiture or an inability to close by the successful bidder, the Trustee shall be entitled to sell the LLC interest to the next highest bidder at the auction, without further notice or order of the Court, provided such sale (other than the purchase price) is upon the same terms and conditions as the proposed sale to Ivy Street Holdings as described in this motion.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
8 E. Figueroa Street, Suite 300, Santa Barbara, CA 93101

A true and correct copy of the foregoing document entitled (*specify*): **Notice of Sale of Estate Property**

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) Oct. 8, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) Oct., 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) Oct. 8, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed. **Fedex:**

Judge Deborah J. Saltzman
United States Bankruptcy Court
Roybal Federal Building
255 E. Temple Street Suite 1634 Bin
Los Angeles, CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Oct. 8, 2019
Date

Evelyn R. Downs
Printed Name


Signature

ECF Service:

William C Beall will@beallandburkhardt.com, carissa@beallandburkhardt.com
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